IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3383 of 2005

Between:

Sri Anjaneya Swamy Tanners Society, Rep. by its President Sri T. Sundaram, S/o. Naganna, Block Level I.c. Society of T. Somalaguduru Village, Nandavaram Mandal, Kurnool District.

... PETITIONER

AND

1 The District Collector, Kurnool District, Kurnool.
2 The Superintendent of Police, Kurnool District, Kurnool.
3 The Mandal Revenue Officer, Nandavaram Mandal, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction, more especially one in the nature of writ of Mandamus declaring the inaction of the 3rd respondent in not taking any action against th encroachers, land grabbers and in not implementing the orders passed by the 1st respondent vide proceedings Rc.No. (E1) 3955/2004 Dt. 31-12-2004 as illegal, arbitrary and violative of Articles, 14 and 21 of the Constitution of India and consequently direct the 1st and 3rd respondents to grant pattas of the plot Nos 84, 85 and 86 of T. Somalagudur Village, Nandavaram mandal, Kurnool district in favour fo the petitioner's society and also direct the 2nd respondent to arrange police aid so as to stop the encroachments and to register a Crime against the encroachers and land grabbers for the offences of trespass and also for the offences punishable under the S.C. & S.T. Atrocities (Prevention) Act.

Counsel for the Petitioner: MR.KIRAN KUMAR VADLAMUDI

Counsel for the Respondents: GP FOR HOME & GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the third respondent-Mandal Revenue Officer, in taking action against the encroachers into plot Nos.84, 85 and 86 of T.Somalagudur Village said to have been allotted to the petitioner society.

It is to be noted that complaining about the said encroachments the petitioner society got issued a notice to the first respondent and in pursuance thereof the first respondent by letter dated 31-12-2004 directed the third respondent to look into the matter and submit his report. In compliance with the same, the third respondent by letter dated 27-01-2005 informed the
petitioner-society that after personal enquiry, he has submitted his report to the Collector on 27-01-2005 and the further action will be taken on receipt of the orders from the District Collector.

The petitioner contends that in terms of the directions of the first respondent letter dated 31-12-2004 the third respondent ought to have removed the unauthorized huts erected by the third parties so as to enable the members of the petitioner society to construct the proposed Artisan Complex. It is alleged that the third respondent has been acting in support of the encroachers. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents and in the light of the allegations made against the third respondent, I deem it appropriate to dispose of the writ petition with a direction to the first respondent-District Collector, to take into the matter and pass appropriate orders, in accordance with law, on the basis of

the report dated 27-01-2005 submitted by the third respondent-Mandal Revenue Officer, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 24-02-2005

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Kurnool District, Kurnool.
2 The Superintendent of Police, Kurnool District, Kurnool.
3 The Mandal Revenue Officer, Nandavaram Mandal, Kurnool District.

4 Two C.Cs. to the Government Pleader for Revenue & Home,
High Court Buildings, Hyderabad. (O.U.T.)

5 Two C.D. Copies.